

Pavitt, John

From: MacIntyre, Mark
Sent: Wednesday, July 09, 2014 4:11 PM
To: Amanda Peterka
Subject: RE: Following up on ITD settlement announced today

Amanda: We issued ITD a Notice of Intent(NOI) letter & it's my understanding that would be available thru FOIA.

Our understanding is that 3 inmates worked on the project, but you would be well-advised to check with the Idaho Department of Correction:

Jeff Ray
Public Information Officer
Idaho Department of Correction
jeray@idoc.idaho.gov
W-(208) 658-2141

From: Amanda Peterka [<mailto:apeterka@eenews.net>]
Sent: Wednesday, July 09, 2014 11:28 AM
To: MacIntyre, Mark
Subject: RE: Following up on ITD settlement announced today

Yes, that would. Thanks.

From: MacIntyre, Mark [<mailto:Macintyre.Mark@epa.gov>]
Sent: Wednesday, July 09, 2014 2:26 PM
To: Amanda Peterka
Subject: RE: Following up on ITD settlement announced today

Will the CAFO Help?

From: Amanda Peterka [<mailto:apeterka@eenews.net>]
Sent: Wednesday, July 09, 2014 11:16 AM
To: MacIntyre, Mark
Subject: Following up on ITD settlement announced today

Hi Mark,

Amanda Peterka from Greenwire here. I wanted to see if you have a copy of any sort of violation notice sent by EPA last year to the Idaho Transportation Department that lays out the allegations. Apologies if it's available online - I'm not familiar with the asbestos section of EPA's website. Thanks much.

Idaho Transportation Department settles with EPA for exposing untrained workers and mishandling asbestos waste during shop renovation

Contact: Mark MacIntyre/EPA-Seattle/206-553-7302/macintyre.mark@epa.gov

(Seattle, WA – July 8, 2014) The Idaho Transportation Department (ITD) has agreed to a settlement with the U.S. Environmental Protection Agency (EPA) for alleged violations of federal asbestos regulations. EPA has alleged that ITD hired inmates from the St. Anthony Idaho Work Camp (Idaho Department of Correction) to perform renovation work involving removal of asbestos-containing floor tile at an ITD Maintenance Shop in Rigby, ID. The workers had not been trained in asbestos handling, and proper asbestos management practices were not used. The settlement includes a \$55,800 penalty.

In April, 2013, ITD hired St. Anthony Idaho Work Camp (Idaho Department of Correction) inmates to remove approximately 460 square feet of old flooring tiles and underlying mastic using mechanical buffers and chippers. Asbestos-containing material from this project was then placed in a trash dumpster, in violation of asbestos waste disposal regulations. That waste was later removed from the site by a private hauler to a landfill that was not approved to receive asbestos contaminated material. EPA learned of the project after receiving complaints from a worker and a supervisor at the job site.

Ed Kowalski, Director of EPA's Office of Enforcement, voiced concern about ITD's lack of diligence in surveying the building for hazards before staffing the job and beginning work.

"By relying on a 30 year-old worksite survey, the Idaho Transportation Department needlessly exposed untrained workers and supervisors to asbestos," said Kowalski. "These workers and their supervisors deserve the same protections all members of the public enjoy from health risks posed by asbestos."

Documents associated with the case indicate that an asbestos survey was performed by ITD in the ITD Maintenance Shop in July, 1989. The single collected sample tested negative for asbestos, however industry standards call for collecting multiple samples when conducting an asbestos survey. Nearly seven months after the flooring renovation project was completed, (and after learning of EPA's alleged violations in November, 2013) ITD hired a consultant to perform a new asbestos survey of the building. The survey included collecting bulk samples, wipe samples and air samples. Two of the three samples from that testing showed positive results for asbestos, and the air sample was inconclusive. ITD then vacated the work area and brought in a professional cleanup crew to remove asbestos contamination.

By signing the agreement and consenting to its terms, ITD neither admits nor denies the allegations described by EPA.

Amanda Peterka

Reporter, *E&E Daily*, *Greenwire*, *E&ENews PM*

apeterka@eenews.net

202-446-0476 (p)

708-710-9957 (c)

202-737-5299 (f)

@apeterka

Environment & Energy Publishing, LLC

122 C St. NW, Suite 722, Washington, DC 20001

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